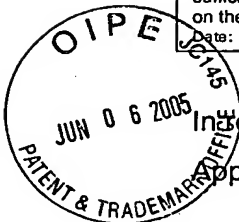


CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 6-2-2005 Name: Richard G. Lione, Reg. No. 19,795 Signature: Richard G. Lione

PCT
06 JUN 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Keita Nishino et al.

Appln. No.: 10/533,868

**BRINKS
HOFER
GILSON
& LIONE**

Filed: May 5, 2005

For: NOVEL INTERMEDIATE FOR
CARBAPENEM COMPOUND FOR ORAL
ADMINISTRATION AND PROCESS FOR
PRODUCING THE SAME

Examiner: Not Assigned

Art Unit: Not Assigned

Attorney Docket No: 5404/102

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal (in Duplicate); First Supplemental Information Disclosure Statement; Form PTO-1449; and a Copy of Each Listed Reference for Which a Copy is Required.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|----------------------------------|-------|---------------------------------|---------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 100= | | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | | +\$360= | |
| | | | | | Total | \$ | | Total | \$ |

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

June 2, 2005
Date

Richard G. Lione
Richard G. Lione (Reg. No. 19,795)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Keita Nishino et al.

Appln. No.: 10/533,868

Filed: May 5, 2005

For: NOVEL INTERMEDIATE FOR
CARBAPENEM COMPOUND
FOR ORAL ADMINISTRATION
AND PROCESS FOR
PRODUCING THE SAME

Examiner: Not Assigned

Art Unit: Not Assigned

Attorney Docket No: 5404/102

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY |
|--|------------|---------|
| EP 0 188 816 A1 | 07/30/1986 | EPO |
| JP 62-103084 A | 05/13/1987 | Japan |
| WO 2004/035539 A1 | 04/29/2004 | WIPO |

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

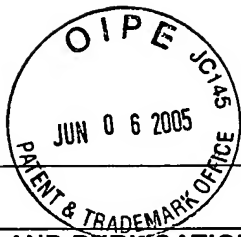
By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

June 2, 2005
Date

Richard G. Lione
Richard G. Lione (Reg. No. 19,795)



| | | |
|--|----------------------------|------------------------------------|
| FORM PTO-1449 | SERIAL NO. 10/533,868 | CASE NO. 5404/102 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | FILING DATE May 5, 2005 | GROUP ART UNIT Not Assigned |
| (use several sheets if necessary) | | APPLICANT(S): Keita Nishino et al. |

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|---------------------|--|------|------|--------------------|----------------|
| | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
|---------------------|--|-------------------|------------|--------------------|--------------------------|
| | B1 | EP 0 188 816 A1 | 07/30/1986 | EPO | |
| | B2 | JP 62-103084 A | 05/13/1987 | Japan | Abstract |
| | B3 | WO 2004/035539 A1 | 04/29/2004 | WIPO | Abstract |

| EXAMINER INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. |
|---------------------|--|
| | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.